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PATENT  
TECH CENTER 1600/2900  
AF/1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Cole et al.

Serial No.: 09/677,737

Group Art Unit: 1619

Filing Date: October 2, 2000

Examiner: Gina Yu

For: METHOD FOR REDUCTION OF INFLAMMATION AND ERYTHEMA

DATE OF DEPOSIT: February 4, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
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ADDRESSED TO THE ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, DC 20231.

Wendy A. Choi  
Wendy A. Choi, Esquire  
REGISTRATION NO.: 36,697

Box ☐ NON-FEE  
☒ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Final Office Action Dated November 19, 2001.
- ☐ An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_
- ☐ Other Material as follows: \_\_\_\_\_

## FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	12	20 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$ 0
INDEP. CLAIMS	2	3 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$ 0

- ☐ A Check is Enclosed in the Foregoing Amount Due.
- ☐ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit

account 23-3050. This sheet is provided in duplicate.

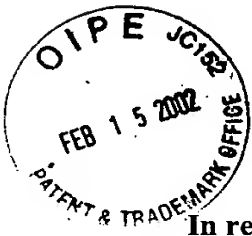
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: February 4, 2002

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Registration No. 36,697

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of :

Coit *et al.*

5 Serial No. : 09/677,737

Group No. : 1619

Filed : 10/02/00

Examiner : Gina Yu

Paper No. : 9

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For : METHOD FOR REDUCTION OF INFLAMMATION AND ERYTHEMA

BOX AF

Assistant Commissioner for Patents

15 Washington, D.C. 20231

Dear Sir:

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

20 This amendment and response are filed in response to the final Office Action, mailed on November 19, 2001, in the above-identified application. Applicants request the Examiner to enter the amendment and to reconsider the rejection of the pending claims in view of the amendment and remarks.

25 Please amend the application as follows:

In the claims:

Please cancel claims 7, 8 and 16, without prejudice.

30

Please amend claims 1, 6, 9, 10 and 11, as follows:

35

Sub  
B1 C1 } 1. (twice amended) A method for ameliorating redness or inflammation of mammalian skin, comprising the step of topically applying a composition to red or inflamed mammalian skin, said composition comprising:

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